

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLES W. CARSON,

CIVIL ACTION NO.

17-cv-2840

Plaintiff

v.

**WILLOW VALLEY COMMUNITIES,
WILLOW VALLEY LIVING,**

Defendants

FILED

MAR 12 2018

KATE BARKMAN, Clerk
By _____ Dep. Clerk

NOTICE OF APPEAL

Notice is hereby given that Charles W. Carson, Plaintiff in the above named case hereby appeals to the United States Court of Appeals for the Third Circuit from an Order, entered in this action on the 12th day of February 2018, by Honorable Judge Joseph F. Leeson granting the Defendants for motion to dismiss, denying the Plaintiffs complaint to proceed. The Order from which this Appeal is taken has been docketed as evidenced by the attached copy of the docket entries.

Respectfully submitted by:



Charles W. Carson, Plaintiff and Appellant

Date: March 9, 2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

CHARLES W. CARSON,
Plaintiff,

v.

WILLOW VALLEY COMMUNITIES and
WILLOW VALLEY LIVING,
Defendants.

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No. 5:17-cv-2840

ORDER

AND NOW, this 7th day of February, 2018, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' Motion to Dismiss, ECF No. 5, is **GRANTED** as follows:
 - a. Counts I through IV of Plaintiff's Complaint are **DISMISSED WITH PREJUDICE**; and
 - b. Count V of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff's Motion to Amend Complaint, ECF No. 9, is **DENIED**.
3. Plaintiff's Motion for More Definite Statement, ECF No. 11, is **DENIED**.
4. This case is **CLOSED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

**United States District Court
Eastern District of Pennsylvania (Allentown)
CIVIL DOCKET FOR CASE #: 5:17-cv-02840-JFL**

CARSON v. WILLOW VALLEY COMMUNITIES et al
Assigned to: HONORABLE JOSEPH F. LEESON, JR
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/22/2017
Date Terminated: 02/12/2018
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights:
Employment
Jurisdiction: Federal Question

Plaintiff**CHARLES W. CARSON**

represented by **CHARLES W. CARSON**
2522 NOLT ROAD
LANCASTER, PA 17601
PRO SE

V.

Defendant**WILLOW VALLEY COMMUNITIES**

represented by **JOSHUA L. SCHWARTZ**
BARLEY SNYDER LLP
126 EAST KING ST
LANCASTER, PA 17601
717-399-1535
Email: jschwartz@barley.com
ATTORNEY TO BE NOTICED

Defendant**WILLOW VALLEY LIVING**

represented by **JOSHUA L. SCHWARTZ**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/22/2017	<u>1</u>	COMPLAINT against WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING (Filing fee \$ 400 receipt number 161597.), filed by CHARLES W. CARSON. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheets)(tj,) (Entered: 06/26/2017)
06/22/2017		Summons 2 Issued as to WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. Forwarded To: Pro Se on 6/26/17 (tj,) (Entered: 06/26/2017)
06/22/2017		DEMAND for Trial by Jury by CHARLES W. CARSON. (tj,) (Entered: 06/26/2017)
06/22/2017	<u>2</u>	REQUEST FOR APPOINTMENT OF ATTORNEY by CHARLES W. CARSON. (tj,) (Entered: 06/26/2017)
07/10/2017	<u>3</u>	Letter from PENNSYLVANIA HUMAN RELATIONS COMMISSION to CHARLES W. CARSON re: the filing of the complaint with the PENNSYLVANIA HUMAN

		RELATIONS COMMISSION. (Attachments: # <u>1</u> Supplement Envelope)(ky,) (Entered: 07/11/2017)
07/28/2017	<u>4</u>	SUMMONS Returned Executed re: Gary Spangenburg served Summons and Complaint upon WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING and WILLOW VALLEY COMMUNITIES by personal service on 7/12/2017, answer due 8/2/2017. (mbh,) (Entered: 07/31/2017)
08/02/2017	<u>5</u>	MOTION to Dismiss filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. Brief, Certificate of Service. (Attachments: # <u>1</u> Brief Brief in Support of Defendant's Motion to Dismiss, # <u>2</u> Text of Proposed Order Proposed Order) (SCHWARTZ, JOSHUA) (Entered: 08/02/2017)
08/14/2017	<u>6</u>	Plaintiff's Response to Defendants' Motion <u>5</u> to Dismiss, Certificate of Service. (fdc) (Entered: 08/15/2017)
09/08/2017	<u>7</u>	ORDER THAT THIS CASE IS REASSIGNED FROM HONORABLE JOSEPH F. LEESON, JR TO HONORABLE J. WILLIAM DITTER, JR FOR ALL FURTHER PROCEEDINGS. SIGNED BY CLERK OF COURT KATE BARKMAN, CLERK OF COURT ON 9/8/17. 9/8/17 ENTERED & E-MAILED. COPY MAILED TO PRO SE PLAINTIFF. (fdc) (VACATED PURSUANT TO ORDER #8) Modified 9/26/17 (fdc). (Entered: 09/08/2017)
09/22/2017	<u>8</u>	ORDER THAT THE ORDER DATED 9/8/17, REASSIGNING THE ABOVE-CAPTIONED CASE FROM THE CALENDAR OF THE HON. JOSEPH F. LEESON, JR., TO THE CALENDAR OF THE HON. WILLIAM J. DITTER, JR., IS VACATED, AND IT IS FURTHER ORDERED THAT THE ABOVE-CAPTIONED CASE IS RESTORED TO THE CALENDAR OF THE HON. JOSEPH F. LEESON, JR. SIGNED BY CLERK OF COURT KATE BARKMAN, CLERK OF COURT ON 9/22/17. 9/22/17 ENTERED & E-MAILED. COPY MAILED TO CARSON. (fdc) (Entered: 09/22/2017)
12/18/2017	<u>9</u>	MOTION TO AMEND COMPLAINT, CERTIFICATE OF SERVICE; JURY DEMAND, FILED BY PRO SE PLFF CHARLES W. CARSON. (AMENDED COMPLAINT ATTACHED).(kw,) (Entered: 12/19/2017)
12/28/2017	<u>10</u>	Memorandum in Opposition re <u>9</u> MOTION to Amend/Correct <i>Complaint</i> filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. (Attachments: # <u>1</u> Text of Proposed Order)(SCHWARTZ, JOSHUA) (Entered: 12/28/2017)
01/18/2018	<u>11</u>	MOTION FOR A MORE DEFINITE STATEMENT FILED BY CHARLES W. CARSON, CERTIFICATE OF SERVICE.(fdc) (Entered: 01/18/2018)
02/01/2018	<u>12</u>	RESPONSE in Opposition re <u>11</u> MOTION for More Definite Statement filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order)(SCHWARTZ, JOSHUA) (Entered: 02/01/2018)
02/12/2018	<u>13</u>	MEMORANDUM/OPINION THAT DEFENDANTS' MOTION TO DISMISS, ECF NO. 5, IS GRANTED; PLAINTIFF'S MOTION TO AMEND COMPLAINT, ECF NO. 9, IS DENIED; PLAINTIFF'S MOTION FOR MORE DEFINITE STATEMENT, ECF NO. 11, IS DENIED. AN APPROPRIATE ORDER FOLLOWS. SIGNED BY HONORABLE JOSEPH F. LEESON, JR ON 2/7/18. 2/12/18 ENTERED AND COPIES E-MAILED AND MAILED TO PRO SE'. (ky,) (Entered: 02/12/2018)
02/12/2018	<u>14</u>	OPINION/ORDER THAT DEFENDANTS' MOTION TO DISMISS, ECF NO. 5 IS GRANTED; PLAINTIFF'S MOTION TO AMEND COMPLAINT, ECF NO. 9, IS DENIED; PLAINTIFF'S MOTION FOR MORE DEFINITE STATEMENT, ECF NO. 11 IS DENIED; AND THIS CASE IS CLOSED.SIGNED BY HONORABLE JOSEPH F.